

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PANAMA CITY DIVISION**

**JEFFERSON RAFFIELD,**

**Plaintiff,**

**vs.**

**CASE NO. 5:09CV11-RH/AK**

**GULF COUNTY SHERIFFS OFFICE,**

**Defendant.**

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**REPORT AND RECOMMENDATION**

Plaintiff filed a complaint on January 20, 2009, alleging that he was beaten by sheriffs deputies, but he provided no facts nor did he identify the officers. (Doc. 1). He was advised by Order dated July 22, 2009, that he must file an amended complaint with more facts supporting his claims. (Doc. 13). When no amended pleading was filed an order to show cause was entered requiring a response on or before September 11, 2009. (Doc. 17). As of this date, there has been no response to the show cause order or any further communication by Plaintiff with the Court.

A trial court has inherent power to dismiss a case *sua sponte* for failure to prosecute. Link v. Wabash Railroad, 370 U.S. 626, 82 S. Ct. 1386, 8 L.Ed2d 734 (1962). Fed. R. Civ. P. 41(b) also authorizes a district court to dismiss an action for failure to obey a court order. Plaintiff has failed to comply with two orders of this Court

directing that he file an amended complaint, (docs. 13 and 17), and has not otherwise prosecuted his lawsuit. Consequently, this case should be dismissed.

Accordingly, it is respectfully **RECOMMENDED** that this case be **DISMISSED** without prejudice.

**IN CHAMBERS** at Gainesville, Florida, this 20<sup>th</sup> Day of November, 2009.

*s/ A. KORNBLUM*  
**ALLAN KORNBLUM**  
**UNITED STATES MAGISTRATE JUDGE**

**NOTICE TO THE PARTIES**

A party may file specific, written objections to the proposed findings and recommendations within 15 days after being served with a copy of this report and recommendation. A party may respond to another party's objections within 10 days after being served with a copy thereof. Failure to file specific objections limits the scope of review of proposed factual findings and recommendations.